THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.5324 OF 2006

-

Dated: 18-03-2006

-

BETWEEN

Brahmaiah Chowdary Veerepalli,

S/o. Late Bhadraiah, Advocate,

R/o. Flat No.3D, Gayatri Apartments,

Hanuman Nagar, Dilsukhnagar,

Hyderabad.

...PETITIONER

AND

The Bar Council of State of Andhra Pradesh,

Rep. by its Secretary, High Court Buildings,

Hyderabad.

...RESPONDENT

ORDER:

-

-

Petitioner seeks a Writ of Mandamus to declare the action of the respondent in not considering his application for change of name as illegal and arbitrary.

Learned counsel for the petitioner submits that the petitioner is a practicing advocate enrolled in the register of the Bar Council of Andhra Pradesh on 08.12.1993 and he was

assigned enrolment No.AP/2372/93 with his original name Veerepalli Brahmaiah.

He further submits that as per the suggestion given by his astrologer he wanted to change his name and accordingly he made an application for change of name in the prescribed form. After complying the formalities under the relevant rules, the competent authority considered his application and issued a notification in Andhra Pradesh Gazette Part-II Extraordinary No.45 Hyderabad on 13.02.2006. Pursuant to the said Gazette notification inviting general public that the petitioner has changed his name from Veerepalli Brahmaiah to Brahmaiah Chowdary Veerepalli, the petitioner filed an application dated 09.03.2006 before the respondent requesting for change of name on the rolls of the Bar Council. The respondent received the said application and the Secretary of the Council communicated the proceedings in R.O.C.No.181/2006 dated 16.03.2006 to the petitioner stating that his application was considered and the Chairman directed to place the application before the Bar Council at its next meeting, which will take place after the Elections to the Council.

Learned counsel appearing for the respondent submits that the last meeting of the Bar Council was held on 12.02.2006 and the application of the petitioner was received on 09.03.2006 and the notification for the elections to the Bar Council has been issued today i.e.18.03.2006 and therefore, after issuing the notification the Bar Council cannot meet again as its term has come to end by issuance of the notification. Therefore, it is not possible for the Bar Council to meet again to consider the application of the petitioner for change of name and the impugned letter has been rightly communicated to the petitioner stating that the after elections to the Council only the application of the petitioner will be considered. The learned counsel further submits that under Rule 23 Part 9 of the Bar Council of India Rules, the name as entered into the rolls of the Council shall not be altered except on an application for that purpose, the said Council accords its permission.

As the said Council cannot meet now to accord its permission at this interregnum period, I am of the opinion that the petitioner is not entitled for any relief in this writ petition.

The writ petition is accordingly dismissed.

_____

V. ESWARAIAH, J

March 18, 2006

DSK